Instruction

Use of Copying Devices

Publication or Creation of Educational Materials – Copyrights: Printing and Duplication

It is illegal for anyone to duplicate copyrighted materials without permission, except to the extent such duplication may fall within the bounds of the "fair use" doctrine.

The Board further recognizes that severe penalties are provided for unauthorized copying of audio, visual or printed materials unless the copying falls within the bounds of "fair use".

Any duplication of copyrighted materials by employees, therefore, must be done with permission of the copyright holder or within the bounds of "fair use" as set forth in the guidelines concerning use agreed upon by various representative groups of publishers, authors, composers, teachers and other affected parties.

Legal Reference: Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et seq.

Policy adopted: February 11, 2003

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut

6162.6P
INSTRUCTION

USE OF COPYING DEVICES - COPYRIGHT LAW COMPLIANCE

(CABE Model Policy)
Second Reading 5/1022

The Colchester Board of Education ("the board") acknowledges the necessity of complying with federal laws governing the use of copyrighted material.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, theatrical performances, video or computer code, is a serious offense against federal law and contrary to the ethical standards required of staff and students alike. The Board further recognizes that severe penalties are provided for unauthorized copying of audio, visual or printed materials unless the copying falls within the bounds of "fair use."

The Board therefore requires that all reproduction of copyrighted material be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as "fair use", under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form.

The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. The following factors shall be considered in determining fair use:

1. The purpose and character of the use, including whether the use is of a commercial nature or for non-profit educational purposes.
2. The nature of the copyrighted work.
3. The amount and importance of the portion used in relation to the copyrighted work as a whole.
4. The effect of the use upon the potential market for or value of the copyrighted work.

Prior written permission must be obtained whenever copyrighted plays and musical numbers are to be performed in public.

The Board therefore directs that:

1. Unlawful copies of copyrighted materials may not be produced on District-owned equipment or any other equipment on District property.
2. Unlawful copies of copyrighted materials may not be used with District-owned equipment or other equipment on District property.

Any District employee who willingly and knowingly violates the copyright policy shall be held personally liable for infringement and may be subject to disciplinary action. In no circumstances shall it be necessary for District staff to violate copyright requirements in order to perform their

duties properly. Copyrighted materials shall be treated as the property of the copyright holder, with all rights and limitations specified in the law.

Legal Reference: Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et seq.

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